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7

8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
10

11 In the Matter of:

12 NEC TECHNOLOGIES, INC.
13

14 Respondent.
15

FPPC No.: 02/318

STIPULATION, DECISION, and
ORDER

16
17 Complainant Mark Krausse, Executive Director of the Fair Political Practices
18 Commission, and Respondent NEC Solutions (America), Inc., hereby agree that this stipulation
19 will be submitted for consideration by the Fair Political Practices Commission at its next
20 regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised
22 by this matter and to reach a final disposition without the necessity of holding an administrative
23 hearing to determine the liability of Respondent.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all
25 procedural rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in
26 sections 18361.1 through 18361.9 of title 2 of the California Code of Regulations. This includes,
27 but is not limited to, the right to personally appear at any administrative hearing held in this
28 matter, to be represented by an attorney at Respondent's own expense, to confront and cross-

1 examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, to
2 have an impartial administrative law judge preside over the hearing as a hearing officer, and to
3 have the matter judicially reviewed.

4 It is further stipulated and agreed that Respondent NEC Solutions (America), Inc.,
5 violated the Political Reform Act by failing to timely file six paper quarterly lobbyist employer
6 reports, in violation of the Government Code section 86117, subdivision (a), and by failing to
7 timely file three lobbyist employer reports electronically, in violation of Government Code
8 section 84605, subdivision (d), (9 counts), as described in Exhibit 1. Exhibit 1 is attached hereto
9 and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate
10 summary of the facts in this matter.

11 Respondent agrees to the issuance of the decision and order, which is attached hereto.
12 Respondent also agrees to the Commission imposing upon it an administrative penalty in the
13 amount of Thirty One Thousand Five Hundred Dollars (\$31,500). A cashier's check from
14 Respondent in said amount, made payable to the "General Fund of the State of California," is
15 submitted with this stipulation as full payment of the administrative penalty, and shall be held by
16 the State of California until the Commission issues its decision and order regarding this matter.
17 The parties agree that in the event the Commission refuses to accept this stipulation, it shall
18 become null and void, and within fifteen (15) business days after the Commission meeting at
19 which the stipulation is rejected, all payments tendered by Respondent in connection with this
20 stipulation shall be reimbursed to Respondent. Respondent further stipulates and agrees that in
21 the event the Commission rejects the stipulation, and a full evidentiary hearing before the
22 Commission becomes necessary, neither any member of the Commission, nor the Executive
23 Director, shall be disqualified because of prior consideration of this stipulation.

24 Dated: _____

Mark Krausse, Executive Director
Fair Political Practices Commission

26 Dated: _____

Shelly Yates, Controller
NEC Solutions (America), Inc.

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IT IS SO ORDERED.

Liane M. Randolph, Chairman
Fair Political Practices Commission